

importer may be permitted to pay the lawful owner, his agent or attorney, for any hides or animals imported by him from Mexico and presented in any county of this State for inspection, and upon such payment, and the fees for inspection, such hides or animals shall be released.

Sec. 2. The law as it now exists, being inadequate to cover the inspection of hides and animals imported from Mexico, creates an emergency, and an imperative public necessity, requiring that the constitutional requirement that a bill be read on three several days be suspended, and that this Act take effect from and after its passage, and it is so enacted.

Enrolling Committee Reports.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 61 and find it correctly enrolled, and have this day at 3:30 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hopkins.

S. B. No. '61.

An Act to amend Article 3420, Chapter 18, Title 52, of the Revised Statutes of the State of Texas of 1911, so as to provide that no property encumbered by certain liens shall be set aside to the widow or children as exempt property, or appropriated to make up the allowances in lieu of exempt property, or for a year's support, until the debts secured by such liens are first discharged, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3420, Chapter 18, Title 52, of the Revised Civil Statutes of the State of Texas of 1911, be amended so as to hereafter read as follows:

Article 3420. No property upon which a lien or liens have been given by an unmarried person, or by the husband and wife acknowledged in a manner legally binding upon the wife,

or upon which a vendor's lien or other lien or liens existing at the date of acquisition of property exists, shall be set aside to the widow or children as exempted property or appropriated to make up allowances made in lieu of exempted property, or for the support of the widow or children, until the debts secured by such liens are first discharged, and provided that this article shall apply to all estates regardless of whether solvent or insolvent.

Sec. 2. The fact that under the present law single men and women can not create liens on their property, to secure any indebtedness except purchase money, that is indefeasible after their death, in case such decedent leave surviving a widow, minor children or unmarried daughters, creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days, and such rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

THIRTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, February 21, 1917.

The Senate met at 10:01 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

By unanimous consent the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent—Excused.

Bailey.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

(Lieutenant Governor Hobby in the chair.)

Excused.

Senator Bailey for today, on account of sickness, on motion of Senator Bee.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 469, A bill to be entitled "An Act to establish Common School District No. 4 in San Patricio County, Texas; extending its boundaries so as to include certain lands heretofore in Common School District No. 1 of said county; providing that such parts of Common School District No. 1 of San Patricio County as may hereafter be included in Common School District No. 4 shall continue to be subject to taxation for the payment of principal and interest of any common school district school house bonds that may have heretofore been issued by Common School District No. 1, and remaining unpaid; conferring upon the board of county trustees the power to subdivide said district and declaring an emergency."

H. C. R. No. 15, relating to the replacing of the chandeliers in the House and Senate.

H. C. R. No. 16, relating to the death of General Frederick Funston.

H. B. No. 13, A bill to be entitled

"An Act granting to the City of Austin certain land along the river front."

H. B. No. 576, A bill to be entitled "An Act to amend Sections 24 and 25 of an Act of the Legislature of Texas, approved March 24, 1911, and entitled 'An Act creating a more efficient road system for Anderson County, Texas,' etc."

H. B. No. 574, A bill to be entitled "An Act to amend Section 2 of an Act creating the Jourdan Independent School District in Atascosa County, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, increasing the territory of said district; to amend Section 8 of said Act, providing for the appointment of an assessor and collector for said district; to amend Section 23 of said Act, providing for the appointment of a board of equalization, and prescribing its powers and duties; to amend Section 24 of said Act, regulating the time of payment of taxes; and declaring an emergency."

H. B. No. 495, A bill to be entitled "An Act creating the Kirbyville Independent School District in Jasper County, Texas, etc., and declaring an emergency."

H. B. No. 602, A bill to be entitled "An Act creating the Buna Independent School District, known as Common School District No. 13, in Jasper County, Texas, and defining its boundaries, etc., and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act to amend Section 10 of Chapter 36, page 359, of Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District' (and for other purposes), by repealing the last clause of Section 10 of this Act, which limits the powers and discretion of the board of equalization of said independent school district in the performance of its duties, and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act creating the Jefferson Independent School District, in Marion County, Texas, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act to validate Common County Line School District No. 14, lying in Comanche and Eastland Counties, under the control of Comanche

County, and to validate the consolidation of what was heretofore Common School District No. 14 of Comanche County with Common County Line School District No. 67, lying in Comanche and Eastland Counties, and declaring an emergency."

H. B. No. 358, A bill to be entitled "An Act to establish the Pampa Independent School District with certain boundaries, including the town of Pampa, Gray County, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of the same, to elect trustees therefor, to levy and collect taxes for the maintenance of said schools, to issue bonds, and declaring an emergency."

Stenographer Resigned.

I beg leave to announce the resignation of Miss Mirtle Smith as my stenographer, taking effect Monday, February 19, and the appointment of Miss Jane Smith to said position.

WESTBROOK.

Stenographer Appointed.

The Chair announced the appointment of Miss Hallie M. Orlopp as stenographer for Senator Hopkins. The appointment to be effective from and including last Monday, February 19.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 18, relating to Legislative Manual for the Thirty-fifth Legislature.

S. B. No. 251, A bill to be entitled "An Act to create a more efficient road system for Live Oak County, Texas, and declaring an emergency," with amendments.

S. B. No. 148, A bill to be entitled "An Act to make an emergency appropriation to pay additional teachers during the remainder of the regular session of the North Texas State

Normal College, and to supply an omission in the appropriation for the summer session of 1917."

S. B. No. 349, A bill to be entitled "An Act to reorganize the Eighteenth Judicial District of the State of Texas, and to reorganize the Twenty-ninth Judicial District of the State of Texas, and to provide that Somervell County shall be taken from the Twenty-ninth Judicial District and transferred to the Eighteenth Judicial District of the State of Texas; and to prescribe the time for the holding of the courts in said districts, and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of court in the several counties and districts as herein fixed, to validate such process, recognizances and bonds, and to validate the summoning of grand and petit jurors, repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Concurs in Senate amendments to H. B. No. 68.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. J. R. No. 12, Proposing to amend Article 16 of the Constitution of the State of Texas by adding thereto at the end thereof another section to be known as Section 59, declaring the conservation and preservation of all the natural resources of the State of Texas are public rights and duties; providing for the creation of conservation districts, declaring such districts bodies politic and corporate, defining the authority of such districts, and conferring upon the Legislature authority to pass laws with reference thereto; declaring that the Legislature shall have authority generally to legislate for the purpose of conserving the natural resources of the State; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof

and the method thereof; directing the issuance of the proclamation therefor, prescribing certain duties of the Governor of the State and making an appropriation to defray the expenses of said election," with amendments.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Senate Bills No. 94 and 95.

(Set as special orders.)

By unanimous consent and on request of Senator Bee, Senate Bills Nos. 94 and 95 were set as special orders for next Thursday at the conclusion of the morning call.

Bills and Resolutions.

By Senator Buchanan of Scurry:

S. B. No. 407, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones County, Texas, defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; vesting said district with the rights and powers and privileges and duties of a town or city incorporated for free school purposes only under the General Laws, and declaring an emergency,' so as to include additional territory in Jones and Fisher Counties, Texas; re-establishing the metes and bounds of the Hamlin Independent School District, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Smith and Gibson:

S. B. No. 408, A bill to be entitled "An Act to amend Article 7355, Chapter 1, Title 126, of the Revised Civil Statutes of Texas, 1911, by adding thereto Section 41 so as to exempt hobby horses, theatres, circuses, menageries, acrobatic performances, sleight of hand performances, wax works and other forms of entertainment from an occupation tax when such hobby horses, theatres, circuses, menageries, acrobatic per-

formances, sleight of hand performances, wax works and other amusements or entertainments are operated in connection with and under the auspices of and for the benefit of county or district agricultural fairs, and declaring an emergency."

Read first time and referred to the Committee on State Affairs.

By Senator Clark:

S. C. R. No. 17, A concurrent resolution of the Legislature of the State of Texas directing the State Fire Insurance Commission to immediately enter an order abolishing the Texas standard fire insurance policy and to at once make, promulgate and establish a new form of policy in conformity with the law of this State, and fair and just in its provisions, both to the insurance companies and to the policy holders."

Read first time and referred to Committee on Insurance and Banking.

By Senator Johnston of Harris:

S. B. No. 409, A bill to be entitled "An Act to provide for platting of streets, alleys, lots and blocks in subdivisions by owners or agents in or to all cities in the State of Texas of a population of five thousand or more, to conform to streets, alleys and blocks abutting on or to the same; providing for filing same for city council, and to be approved by the city and city engineer before recording by the county clerk in the county records; providing a penalty for violation of same."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

S. B. No. 410, A bill to be entitled "An Act to amend Article 1178, Chapter 4, Title 15 of the Revised Code of Criminal Procedure of Texas of 1911, relating to the compensation of county attorneys who in cities of over thirty thousand and under forty thousand population according to the United States census of 1900 represent the State in misdemeanor cases in corporation courts thereof; placing cities of over five thousand and under forty thousand according to the United States census of 1900, under the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dayton:

S. B. No. 411, A bill to be entitled "An Act authorizing traveling men and all other persons unavoidably absent from their voting places on primary election days to vote by mail; providing under what circumstances they may vote; providing penalty for violation of this Act, and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Dean:

S. B. No. 412, A bill to be entitled "An Act amending an Act passed by the Thirty-fifth Legislature of the State of Texas, and approved on the 12th day of February, 1917, and known as Senate Bill No. 278, and entitled 'An Act amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised Civil Statutes of the State of Texas, of 1911, providing for county depositories; providing that the amount of the bond of the county depository shall in no event be for less than the total amount of revenue of the county for the next preceding year; adding Article 2443a; providing and requiring special additional bonds to cover any or all special funds, including the sale or sales, of bonds belonging to the county, or a subdivision thereof; providing for the substitution of bonds made under the provisions of this Act for bonds now in existence, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Strickland:

S. B. No. 413, A bill to be entitled "An Act to amend Article 7017, of Chapter 9, of Title 119, of the Revised Statutes of the State of Texas, regulating the construction of bridges over streams forming the division lines between counties or road districts, and providing for the payment therefor, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

Simple Resolution No. 93.

Resolved that the communication now on file in this Senate, signed by H. C. Poe of Temple, Texas, be printed in the Journal.

Respectfully,

BUCHANAN of Bell.
McNEALUS.

The resolution was read.

Senator Page moved to table the resolution, which motion prevailed by the following vote:

Yeas—16.

Bee.	Hopkins.
Caldwell.	Hudspeth.
Clark.	King.
Dayton.	McCollum.
Floyd.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Woodward.

Nays—11.

Alderdice.	McNealus.
Buchanan of Bell.	Robbins.
Buchanan of Scurry	Strickland.
Dean.	Suiter.
Johnson of Hall.	Westbrook.
Lattimore.	

Present—Not Voting.

Johnston of Harris

Absent.

Decherd. Henderson.

Absent—Excused.

Bailey.

(President Pro Tem. Henderson in the chair.)

House Bill No. 7.

Senator Hudspeth called up from the table House Bill No. 7, which was read second time on February 19th and laid on the table subject to call.

The Chair laid before the Senate:

H. B. No. 7, A bill to be entitled "An Act to amend Article 7805, of Chapter 1, of Title 130 of the Revised Civil Statutes of 1911, relating to the issuance of permits to foreign corporations, and declaring an emergency."

Senator Hudspeth moved the adop-

tion of the majority (favorable) committee report.

As a substitute, Senator Dean moved the adoption of the minority (adverse) committee report.

Pending.

Recess.

At 12:43 o'clock p. m., on motion of Senator McNealus, the Senate recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Henderson.

At Ease.

By unanimous consent, the Chair announced that the Senate would stand at ease for fifteen minutes.

House Bill No. 7.

(Pending.)

Action recurred upon the pending business, House Bill No. 7, the question being upon the adoption of the minority (adverse) committee report.

The Senate refused to adopt the minority report by the following vote:

Yeas—6.

Dean.	Hopkins.
Decherd.	Johnson of Hall.
Floyd.	Westbrook.

Nays—24.

Alderdice.	Johnston of Harris
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Henderson.	Sulter.
Hudspeth.	Woodward.

Absent—Excused.

Bailey.

The majority (favorable) committee report was then adopted.

Senator Sulter offered the following amendment:

Amend the printed bill, page 2, line 10, by inserting after the word "State" the following: "And the district attorney and county attorney in the district and county in which said proceeding is pending, and it shall be the duty of the Attorney General to represent the State of Texas in all of said proceedings, and if, for any reason, the Attorney General should fail to represent the State in said proceedings, then it shall be the duty of the district attorney of the district and the county attorney of the county of the district and county in which said proceedings are pending to represent the State in said proceedings (and the court shall allow a reasonable attorney's fee to the attorney representing the State, to be paid by said corporation as other costs)."

SUITER.

The amendment was withdrawn.

Senator Dean offered the following amendment, which was read and adopted:

(1) Amend the bill by adding after the word "State," line 10, page 2, the following: "Whose duty it shall be to represent the State in such proceeding."

Senator Johnston of Harris offered the following amendment, which was read and adopted:

(2) Amend House Bill No. 7 by inserting after the word "engaged" in line 4, page 2, the following: "Provided further, that at the time of the organization of such other corporation, at the time of making application for the permit to do business in Texas, at the time of receiving such permit and at all other times thereafter the ownership of a majority of its stock shall actually and in good faith be held by other and different persons than those who owned the majority of the stock in the convicted corporation at the time of such conviction and at the time of the doing of the acts and things for which it was convicted or at each or either of such times."

Senator Hudspeth offered the following amendments, which were read and adopted, being voted on separately:

(3) Amend House Bill No. 7 by inserting after the word "incorporated" and before the word "and" in line 6, page 2, the words "or secure a permit."

(4) Amend House Bill No. 7 by inserting after the word "State" in line 8, page 2, the words "who shall issue such permit."

Senator Dean offered the following amendment, which was read and adopted:

(5) Amend by adding between the words "the" and "judgment," in line 24, page 2, the word "modified."

Senator Lattimore offered the following amendments, which were read and adopted, being voted on separately:

(6) Amend the bill, page 2, line 20, by striking out the words "of this State."

(7) Amend the bill, page 2, line 18, by inserting before the word "is" the following: "which has taken over such porperties or business, or its assigns or successors."

(8) Amend the bill, page 2, line 5, by inserting after the word "where-upon" the following: "and after hearing had after the notice to the Attorney General herein provided."

(9) Amend the bill, page 2, line 22, by inserting after the word "thereon" the following: "including all transfers of any and all, properties."

Senator Suiter offered the following amendment:

Amend the printed bill, page 2, lines 24 and 25, by striking out the words "as herein provided" and inserting in lieu thereof the following: "And at the time of entering such proceedings the property of said new corporation shall be placed in the hands of a receiver appointed by the court during the pendency of said proceeding, and if found guilty, the charter or permit of said new corporation shall be forfeited."

Senator McNealus moved to table the amendment, which motion prevailed by the following vote:

Yeas—22.

Bee.	Floyd.
Buchanan of Scurry,	Gibson.
Caldwell.	Hall.
Clark.	Harley.
Dayton.	Henderson.
Decherd.	Hudspeth.

Johnston of Harris	Page.
King.	Parr.
Lattimore.	Robbins.
McCollum.	Strickland.
McNealus.	Westbrook.

Nays—4.

Alderdice.	Johnson of Hall.
Hopkins.	Suiter.

Present—Not Voting.

Buchanan of Bell. Dean.

Absent.

Smith.	Woodward.
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Absent—Excused.

Bailey.

Senator Strickland offered the following amendment:

Amend the bill, page 2, Section 1, line 3, by adding after the word "corporation" the word "heretofore."

Senator Hudspeth moved to table the amendment, and the motion prevailed by the following vote:

Yeas—23.

Alderdice.	Johnston of Harris
Buchanan of Bell.	King.
Buchanan of Scurry	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Westbrook.
Henderson.	Woodward.
Hudspeth.	

Nays—6.

Bee.	Hopkins.
Dean.	Strickland.
Decherd.	Suiter.

Absent.

Johnson of Hall.

Absent—Excused.

Bailey.

Senator Bee offered the following amendments, which were read and adopted, being voted on separately:

(10) Amend the bill, line 2, page 2, by adding after the word "and" before the word "operated" the words "is independently."

(11) Amend the bill by adding after the word "provided" in line 25, page 2, Section 1, the words "and provided

further that if the court shall, after the hearing provided for, refuse to modify or reform such judgment, no permit shall be issued by the Secretary of State to the corporation to whom the properties or business of the convicted corporation have been transferred or to the corporation which has assumed the payment of the obligations of the convicted corporation."

Senator Hudspeth moved the previous question on the passage of House Bill No. 7 to its third reading, which motion being duly seconded, the main question was ordered.

The bill was read second time and passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 7 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Nays—1.

Strickland.

Absent.

Floyd.

Absent—Excused.

Bailey.

Senator Hudspeth moved the previous question on the final passage of the bill, which motion being duly seconded, the main question was ordered.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Buchanan of Bell.
Bee.	Buchanan of Scurry

Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Floyd.	McNealus.
Gibson.	Page.
Hall.	Parr.
Harley.	Robbins.
Henderson.	Smith.
Hudspeth.	Woodward.
Johnston of Harris	

Nays—7.

Dean.	Strickland.
Decherd.	Suiter.
Hopkins.	Westbrook.
Johnson of Hall.	

Absent—Excused.

Bailey.

Senator Hudspeth moved to reconsider the vote by which House Bill No. 7 was passed and table the motion to reconsider.

The motion to table prevailed.

Bills Read and Referred.

The Chair (President Pro Tem. Henderson) had referred, after their captions had been read, the following House bills:

H. B. No. 654, referred to the Committee on Roads, Bridges and Ferries.

H. C. R. No. 18, referred to the Committee on Rules.

Bill Signed.

The Chair (President Pro Tem. Henderson), gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 148, A bill to be entitled "An Act to make an emergency appropriation to pay additional teachers during the remainder of the Regular Session of the North Texas State Normal College, and to supply an omission in the appropriation for the summer session of 1917."

Simple Resolution No. 94.

(By unanimous consent.)

Be it resolved, That the salary of Captain Geo. T. Walker, who was

elected General Messenger, be raised from two dollars (\$2.00) to five dollars (\$5.00) per day, effective upon the adoption of this resolution.

Caldwell, McNealus, Buchanan of Scurry, Clark.

On motion of Senator McNealus, the resolution was laid on the table subject to call.

Senate Joint Resolution No. 12— House Amendment Concurred In.

Senator McCollum called up Senate Joint Resolution No. 12, a joint resolution proposing to amend Article 16 of the Constitution of the State of Texas, etc.

The following House amendment was laid before the Senate:

Amend Senate Joint Resolution No. 12 by adding at the end of line 32 the following: "Provided the Legislature shall not authorize the issuance of any bonds or provide for any indebtedness against any reclamation district unless such proposition shall first be submitted to the qualified property tax paying voters of such district and the proposition adopted."

On motion of Senator McCollum, the Senate concurred in the foregoing amendment by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Caldwell.	Parr.
Hudspeth.	Robbins.

Absent—Excused.

Bailey.

Simple Resolution No. 95.

(By unanimous consent.)

Whereas, Mrs. Rose F. Deming, editor of the Palestine Advocate, the oldest newspaper woman in Texas, and the designor of the Alamo chair, is now in the gallery, be it

Resolved, That she be invited to address the Senate, and be extended the privileges of the floor.

STRICKLAND

The resolution was read and adopted.

Mrs. Deming addressed the Senate briefly.

Senate Bill No. 349—House Amend- ment Concurred In.

Senator Lattimore called up

S. B. No. 349, A bill to be entitled "An Act to reorganize the Eighteenth Judicial District of the State of Texas, and to reorganize the Twentieth Judicial District of the State of Texas," etc.

The following House amendment was laid before the Senate:

Amend Senate Bill No. 349 as follows: On line 12, Section 1, by changing the word "fourth" to "third"; in line 13 of the same section by changing the word "first" to "third," and in line 14 by changing the word "fourth" to "second," and in line 15 by changing the word "September" to "October," and in line 17 by changing the word "fourth" to "third;" in line 19 by changing the word "fourth" to "first," and in line 21 by changing the word "second" to "third," and the word "October" to "September."

Senator Lattimore moved to concur in the foregoing amendment.

The motion prevailed by the following vote:

Yeas—25.

Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Alderdice.	McNealus.
Hudspeth.	Robbins.
King.	

Absent—Excused.

Bailey.

Local Bills.

I move that the balance of today's session be devoted to local bills on the House bill calendar.

Caldwell.

The motion was lost.

House Bill No. 4.

By unanimous consent, Senator Dayton called up from the table House Bill No. 4, which was read second time on February 15th.

The Chair laid before the Senate: H. B. No. 4, "An Act defining 'mooching,' etc."

The favorable committee report was adopted.

Senator Dayton offered the following amendments, which were read and adopted, being voted on separately:

Amend by striking out words "any barbecue, picnic, dance, ball or any political gathering or" in lines 8 and 9, printed bill, page 2.

Amend caption by striking out the words "barbecue, picnic, dance, ball or for any" in caption, lines 22 and 23, page 1, printed bill.

Senator Clark offered the following amendment:

Amend the bill, page 2, by striking out all of line 3.

Senator Dayton moved to table the amendment, which motion was lost by the following vote:

Yeas—8.

Dayton.	Johnston of Harris
Decherd.	Parr.
Floyd.	Smith.
Hopkins.	Westbrook.

Nays—18.

Alderdice.	Dean.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry	Harley.
Caldwell.	Henderson.
Clark.	Hudspeth.

Johnson of Hall.	Page.
King.	Strickland.
Lattimore.	Suiter.

Absent.

McCollum.	Robbins.
McNealus.	Woodward.

Absent—Excused.

Bailey.

Action then recurred upon the adoption of the amendment, and the same was adopted by the following vote:

Yeas—14.

Alderdice.	Hall.
Bee.	Harley.
Buchanan of Bell.	Henderson.
Buchanan of Scurry	Johnson of Hall.
Caldwell.	King.
Clark.	Page.
Dean.	Suiter.

Nays—9.

Dayton.	Johnston of Harris
Decherd.	Parr.
Floyd.	Smith.
Hopkins.	Westbrook.
Hudspeth.	

Absent.

Gibson.	Robbins.
Lattimore.	Strickland.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Bailey.

Senator Clark moved to reconsider the vote by which the amendment was adopted and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 103.

The Chair laid before the Senate as regular order on its second reading:

H. B. No. 103, A bill to be entitled "An Act to authorize the construction of and make an appropriation for the construction of a main building, chemical laboratory building, dormitory and power house for the School of Mines of the State of Texas, located at El Paso, Texas, and to make an appropriation of all funds collected from insurance on the

burned buildings of said School of Mines for said purpose, and for furnishing, equipping and maintaining said School of Mines, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 103 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	King.
Dayton.	Lattimore.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.

Absent.

Johnston of Harris	Robbins.
McCollum.	Strickland.
McNealus.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Hall.	Robbins.
Johnston of Harris	Strickland.
McCollum.	

Absent—Excused.

Bailey.

Senator Hudspeth moved to reconsider the vote by which House Bill No. 103 was passed and table the motion to reconsider.

The motion to table prevailed.

House Joint Resolution No. 5 Re-committed.

The Chair laid before the Senate as regular order on its second reading:

H. J. R. No. 5, "A Joint Resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 59, providing for the compensation of public officials."

Senator McNealus moved that the resolution be re-committed to the Committee on Constitutional amendments.

The motion prevailed.

Senate Bill No. 395.

(By unanimous consent.)

The Chair laid before the Senate on its second reading:

S. B. No. 395, A bill to be entitled "An Act to define and construe an Act approved March 16, 1907, being Chapter 26 of the Special Laws of the Thirtieth Legislature, and amendments thereto, by an Act approved September 1, 1910, being Chapter 1 of Special Laws of fourth session of Thirty-first Legislature, 1910, authorizing the County of Galveston to build and construct a causeway and to issue bonds therefor; defining and construing the intention of said Acts to be that an issue of bonds and levy of tax by said county for such purpose can be made whenever said causeway needs reconstruction in whole or in part or needs repairs. Declaring the object and intent being to provide the State of Texas at all times with suitable access to the port of Galveston; and the further purpose of this Act is to validate an issue to be made of six hundred thousand dollars of bonds, a second issue for construction of the causeway lost in the storm of Au-

gust, 1915, that issue of bonds being under the terms and provisions of said Act as amended, so as to authorize the issue of said bonds in conformity with the provisions of the Constitution of this State, including Article 3, Section 52; declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 395 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	

Absent.

Decherd.	Robbins.
Floyd.	Westbrook.
Hudspeth.	Woodward.
McCollum.	

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	

Absent.

Decherd.	Hudspeth.
Floyd.	McCollum.

Robbins.
Westbrook.

Woodward.

Absent—Excused.

Bailey.

Senator Hall moved to reconsider the vote by which S. B. No. 395 was passed and table the motion to reconsider.

The motion to table prevailed.

House Joint Resolution No. 2.

The Chair laid before the Senate as regular order on its second reading:

H. J. R. No. 2, "House Joint Resolution to amend Section 10, Article 1, of the Constitution of the State of Texas, providing for certain rights of accused persons in criminal prosecutions and the manner in which the case may be prosecuted, and providing for the procuring of the testimony of the witnesses for both defense and prosecution."

Senator Dayton offered the following substitute for the House engrossed rider:

(1) Amend by striking out all of Section 1 of said joint resolution and substituting therefor the following:

Section 1. That Section 10 of Article 1 of the Constitution of the State of Texas be so amended that the same will be read and hereafter be as follows:

Section 10. In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself and shall have the right of being heard by himself or counsel, or both shall be confronted by the witnesses against him and shall have compulsory process for obtaining witnesses in his favor (except that when the witness resides out of the State and the offense charged is a violation of any of the anti-trust laws of this State), the defendant and the State shall have the right to produce and have the evidence admitted by deposition, under such rules and laws as the Legislature may hereafter provide, and no person shall be held to answer for a criminal offense, unless on an indictment of a grand jury (except in cases in which the punish-

ment is by fine or imprisonment), otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army or navy, or in the militia, when in actual service in time of war or public danger.

The amendment was read and adopted.

Senator Lattimore offered the following amendment:

Amend the substitute resolution by inserting a period after the word "favor," and by striking out all in the first parenthesis and insert in lieu thereof the following after the said period: "when the witness resides out of the State."

Pending.

Refusal to Adjourn.

Senator Hopkins, at 6:40 o'clock p. m., moved to recess until 8:30 o'clock tonight.

As a substitute, Senator Page moved to adjourn until 10 o'clock tomorrow, which motion was lost by the following vote:

Yeas—7.

Alderdice.	Harley.
Caldwell.	McNealus.
Clark.	Page.
Gibson.	

Nays—16.

Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry	King.
Dayton.	Lattimore.
Dean.	Parr.
Hall.	Smith.
Henderson.	Strickland.
Hopkins.	Suiter.

Absent.

Decherd.	Robbins.
Floyd.	Westbrook.
Hudspeth.	Woodward.
McCollum.	

Absent—Excused.

Bailey.

Senate Bill No. 368—Refusal to Take Up.

Senator King asked unanimous consent to take up S. B. No. 368, but there was objection.

Recess.

Action recurred upon the motion of Senator Hopkins to recess until 8:30 o'clock tonight, and the motion prevailed by the following vote:

Yeas—14.

Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris
Dayton.	Parr.
Dean.	Smith.
Hall.	Strickland.
Henderson.	Suiter.

Nays—8.

Alderdice.	Harley.
Caldwell.	King.
Clark.	McNealus.
Gibson.	Page.

Absent.

Decherd.	Robbins.
Floyd.	Westbrook.
Hudspeth.	Woodward.
McCollum.	

Pair recorded.

Senator Lattimore (present), who would vote Aye; Senator Bailey (absent), who would vote No.

After Recess.

(Night Session.)

The Senate was called to order by President Pro Tem. Henderson.

Local Bills.

Senator Dayton moved that the Secretary call the roll of the Senate by districts, beginning with District No. 1, and that each Senator as called be permitted to take up a local bill or a general bill, to which there is no opposition.

As a substitute, Senator Hopkins moved that the roll be called alphabetically and that each Senator as his name is called be permitted to take up for consideration a bill.

The substitute motion was lost.

Action recurred on the motion of Senator Dayton, and the same prevailed.

(Senator Dean in the chair.)

Pursuant to the terms of the mo-

tion of Senator Dayton, just adopted, the Senate proceeded.

Senate Bill No. 316.

The Chair laid before the Senate on second reading:

S. B. No. 316, A bill to be entitled "An Act to amend Title 22, Chapter 4, Article 883, Revised Statutes of 1911 of the State of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Henderson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 316 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris
Caldwell.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Decherd.	McNealus.
Floyd.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Westbrook.

Absent.

Clark.	Strickland.
Hudspeth.	Suiter.
Robbins.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Westbrook.
Harley.	

Absent.

Hudspeth.	Suiter.
Robbins.	Woodward.
Strickland.	

Absent—Excused.

Bailey.

Senate Bill No. 266.

The Chair laid before the Senate on second reading:

S. B. No. 266, A bill to be entitled "An Act to create a special road law for Delta County, Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 266 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Westbrook.

Absent.

Hudspeth.	Strickland.
Johnson of Hall.	Suiter.
Robbins.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Decherd.
Bee.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hall.
Caldwell.	Harley.
Dayton.	Henderson.
Dean.	Hudspeth.

Johnson of Hall. McNealus.
Johnston of Harris, Parr.
King. Smith.
Lattimore. Westbrook.
McCollum.

Absent.

Clark. Strickland.
Hopkins. Suiter.
Page. Woodward.
Robbins.

Absent—Excused.

Bailey.

Senate Bill No. 391.

The Chair laid before the Senate on second reading:

S. B. No. 391, A bill to be entitled "An Act to amend Section 4 of an Act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a Board of Water Commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water and repealing all laws in conflict herewith and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dayton, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 391 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice. Harley.
Bee. Hopkins.
Buchanan of Bell. Johnson of Hall.
Buchanan of Scurry. Johnston of Harris
Caldwell. King.
Clark. Lattimore.
Dayton. McCollum.
Dean. McNealus.
Decherd. Page.
Floyd. Parr.
Gibson. Smith.
Hall. Westbrook.

Absent.

Henderson. Strickland.
Hudspeth. Suiter.
Robbins. Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice. Harley.
Bee. Hopkins.
Buchanan of Bell. Johnson of Hall.
Buchanan of Scurry. Johnston of Harris.
Caldwell. King.
Clark. Lattimore.
Dayton. McNealus.
Dean. Page.
Decherd. Parr.
Floyd. Smith.
Gibson. Westbrook.
Hall.

Absent.

Henderson. Strickland.
Hudspeth. Suiter.
McCollum. Woodward.
Robbins.

Absent—Excused.

Bailey.

House Bill No. 432.

The Chair laid before the Senate on second reading:

H. B. No. 432, A bill to be entitled "An Act to increase the limits of the Sweetwater Independent School District by adding thereto certain territory from adjoining districts, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 432 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice. Hall.
Bee. Harley.
Buchanan of Bell. Henderson.
Buchanan of Scurry. Hopkins.
Caldwell. Johnson of Hall.
Clark. Johnston of Harris.
Dayton. King.
Dean. Lattimore.
Decherd. McNealus.
Floyd. Page.
Gibson. Parr.

Smith. Westbrook.
Strickland.

Absent.

Hudspeth. Suiter.
McCollum. Woodward.
Robbins.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Henderson.	Robbins.
Hudspeth.	Suiter.
McCollum.	Woodward.

Absent—Excused.

Bailey.

Senate Bill No. 118.

The Chair laid before the Senate on third reading:

S. B. No. 118, A bill to be entitled "An Act to aid the city of Paris and Lamar County in the re-establishment and rebuilding permanent public improvements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said Lamar County for a period of five years and to provide a penalty for their misapplication."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Caldwell.
Bee.	Clark.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.

Decherd.	King.
Floyd.	Lattimore.
Gibson.	McNealus.
Hall.	Page.
Harley.	Parr.
Henderson.	Smith.
Hopkins.	Strickland.
Johnson of Hall.	Westbrook.
Johnston of Harris.	

Absent.

Hudspeth.	Suiter.
McCollum.	Woodward.
Robbins.	

Absent—Excused.

Bailey.

(President Pro Tem. Henderson in the chair.)

House Bill No. 32.

The Chair laid before the Senate on second reading:

H. B. No. 32, A bill to be entitled "An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911 of the State of Texas, and as amended by Chapter 142 of the Regular Session of the Thirty-third Legislature, relating to the appointment of certain officers named in Articles 3881 and 3886 of the Revised Civil Statutes, of deputies or assistants in the performance of the duties of such officers where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies or assistants shall make affidavit that such assistants or deputies are necessary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies or assistants; providing that the officer requesting said deputies or assistants shall fix their compensation; providing the maximum amount allowed for deputies in counties having a population from 37,500 to 100,000; providing the maximum amount allowed deputies in counties having a population in excess of 100,000; and providing

that in counties in excess of 100,000 inhabitants, district attorneys of any district or county attorney is authorized, with the consent of the county judge of said county, to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess same qualifications required by law for district and county attorneys; providing amount paid said deputies; also providing for \$50.00 per month for necessary expenses, etc."

Senator McNealus offered the following amendments, which were read and adopted, being voted on separately:

(1) Amend H. B. No. 32, line 11, page 3, by striking out the figures "\$100.00" and inserting "\$125.00."

(2) Amend H. B. No. 32, line 22, page 4, by adding after the figures "3886" the following: "such salaries to be paid out of the fees of the office in the following manner: First out of any current fees collected, and if such fees are not sufficient, then out of any delinquent fees collected and which are due the county after all legal deductions are made, and lastly, if there be any balance remaining after the payment of the maximum salary due the officer and the salaries due the deputies, then such balance to be paid to the county treasurer."

(3) Amend the caption, line 4, by striking out word "and" and inserting the word "to."

The bill was read second time and passed to its third reading.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 32 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bee.	Harley.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnson of Hall.
Clark.	Johnston of Harris.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Westbrook.

Nays—1.

Strickland.

Present—Not Voting.

King.

Absent.

Hudspeth.	Robbins.
McCollum.	Suiter.
Page.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Parr.
Decherd.	Smith.
Gibson.	Westbrook.
Hall.	

Nays—3.

Floyd.	Strickland.
King.	

Absent.

Hudspeth.	Robbins.
McCollum.	Suiter.
Page.	Woodward.

Absent—Excused.

Bailey.

Senator McNealus moved to reconsider the vote by which H. B. No. 32 was passed and table the motion to reconsider.

The motion to table prevailed.

Refusal to Adjourn.

Senator Clark moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost.

House Bill No. 474.

The Chair laid before the Senate on second reading:

H. B. No. 474, A bill to be entitled "An Act creating and incorporating the Wilson Independent School District, in Lynn County, Texas, and de-

fining the boundaries thereof, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 474 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Hudspeth.	Robbins.
McCollum.	Suiter.
Page.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Hudspeth.	Robbins.
McCollum.	Suiter.
Page.	Woodward.

Absent—Excused.

Bailey.

Senator Buchanan of Scurry moved to reconsider the vote by

which H. B. No. 474 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 389.

The Chair laid before the Senate on second reading:

S. B. No. 389, A bill to be entitled "An Act to incorporate the Calvert Independent School District, in Robertson County, Texas, for free school purposes only, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Decherd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 389 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Harley.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Hudspeth.	Robbins.
McCollum.	Suiter.
Page.	Woodward.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Bee.	Hall.
Buchanan of Bell.	Harley.
Buchanan of Scurry.	Henderson.
Caldwell.	Hopkins.
Clark.	Johnson of Hall.
Dayton.	Johnston of Harris.
Dean.	King.
Decherd.	Lattimore.
Floyd.	McNealus.
Gibson.	Parr.

Smith. Westbrook.
Strickland.

Absent.

Alderdice. Robbins.
Hudspeth. Suiter.
McCollum. Woodward.
Page.

Absent—Excused.

Bailey.

Senator Decherd moved to reconsider the vote by which S. B. No. 389 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 596.

The Chair laid before the Senate on second reading:

H. B. No. 596, A bill to be entitled "An Act creating the Maydelle Independent School District in Cherokee County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 596 put on its third reading and final passage by the following vote:

Yeas—23.

Bee. Henderson.
Buchanan of Bell. Hopkins.
Buchanan of Scurry. Johnson of Hall.
Caldwell. Johnston of Harris.
Clark. King.
Dayton. Lattimore.
Dean. McNealus.
Decherd. Parr.
Floyd. Smith.
Gibson. Strickland.
Hall. Westbrook.
Harley.

Absent.

Alderdice. Robbins.
Hudspeth. Suiter.
McCollum. Woodward.
Page.

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Bee. Henderson.
Buchanan of Bell. Hopkins.
Buchanan of Scurry. Johnson of Hall.
Caldwell. Johnston of Harris.
Clark. King.
Dayton. Lattimore.
Dean. McNealus.
Decherd. Parr.
Floyd. Smith.
Gibson. Strickland.
Hall. Westbrook.
Harley.

Absent.

Alderdice. Robbins.
Hudspeth. Suiter.
McCollum. Woodward.
Page.

Absent—Excused.

Bailey.

Senate Bill No. 368.

The Chair laid before the Senate on second reading:

S. B. No. 368, A bill to be entitled "An Act to amend Article 6096, Chapter 1, Title 101, of the Revised Civil Statutes of the State of Texas, pertaining to partitions and authorizing the partition of any real estate, or of any interest therein, or of any mineral, coal, petroleum or gas lands, whether held in fee or by lease or otherwise, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

On motion of Senator King, the bill was ordered not printed.

The bill was read second time and passed to engrossment.

Bills and Resolutions.

(By unanimous consent.)

By Senator Dean:

S. B. No. 414, a bill to be entitled "An Act creating a more efficient road system for Grimes County, Texas, etc., and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

Senate Bill No. 138.

The Chair laid before the Senate on second reading

S. B. No. 138, A bill to be entitled "An Act to provide for an appeal from interlocutory orders overruling motions to vacate orders appointing receivers."

The bill was read second time and passed to engrossment.

Senate Bill No. 388.

The Chair laid before the Senate on second reading

S. B. No. 388. A bill to be entitled "An Act to create the Wharton Independent School District, in Wharton County, Texas, including the present Wharton Independent School District and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 264.

The Chair laid before the Senate on third reading

S. B. No. 264, A bill to be entitled "An Act to authorize and permit W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the last will of Mrs. Delha Eastham, deceased, to sue the State of Texas and the Prison Commission of the State of Texas, in district court of Walker County, for damages for the breaches, if any, of and the failure, if any, to perform the duties and obligations, if any, arising out of the contract made between Mrs. Delha Eastham, then a widow, now deceased, and J. A. Herring, then superintendent, and J. C. Haynes, then financial agent of the penitentiaries of the State of Texas, for the cultivation, with convict labor, of the farm of the said Mrs. Delha Eastham, situated in Houston County, Texas, for the term of two years, beginning on the first day of January, A. D. 1910, and ending on the 31st day of December, A. D. 1911, which farm consists of about four thousand acres of cultivable land, and providing that no pleas of limitation shall be urged in bar of the cause of action alleged by the plaintiffs in said suit, and providing

that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commission, and providing for the manner of payment thereof."

Action recurred upon the pending amendment by Senator Caldwell and the same was withdrawn.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 265.

The Chair laid before the Senate on third reading

S. B. No. 265, A bill to be entitled "An Act to authorize and permit B. A. Eastham to sue the State of Texas and the Prison Commission of the State of Texas, in the district court of Walker County, Texas, for damages for the breaches, if any, of, and the failure, if any, to perform the duties and obligations, if any, arising out of the contract made on or about the 12th day of January, A. D., 1910, between the said B. A. Eastham of the one side, and J. A. Herring as superintendent, and A. M. Barton as financial agent of the Texas State penitentiaries, of the other side, for the cultivation of the farm of the said B. A. Eastham on the share farm system, with convict labor, for a term of two years, commencing on January 1, A. D. 1910, and ending December 31, 1911, which said farm consists of about one thousand acres, and is located in Walker County, Texas, and providing that no pleas of limitation shall be urged in bar of the cause of action alleged by the plaintiff in said suit, and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commission, and providing for the manner of payment thereof."

The bill was laid before the Senate, read third time and passed.

Senate Bill No. 187.

The Chair laid before the Senate on second reading

S. B. No. 187, A bill to be entitled "An Act prescribing the number and character of lamps to be carried by automobiles, motor vehicles and mo-

motorcycles during certain hours, and to prohibit the use of glaring and dazzling headlights upon automobiles, motor vehicles and motorcycles in use upon the public highways of this State, and providing a penalty for the violation thereof, and declaring an emergency."

The committee report, carrying with it the committee amendment, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 328.

(By unanimous consent.)

The Chair laid before the Senate on second reading

S. B. No. 328, A bill to be entitled "An Act to permit railroad corporations, by and with permission of the Railroad Commission of Texas, to change, re-locate or abandon any portion of its line when without the limits of any incorporated city, town or village, and to change, relocate or abandon any part of its line within the limits of any incorporated city, town or village, by and with the permission of the Railroad Commission of Texas, and the city council or board of aldermen of such city, town or village, and providing for the exercise of the right of eminent domain to acquire right of way and depot grounds when lines are changed or relocated, and validating such changes, relocations or abandonments, when heretofore made with the permission of the Railroad Commission of Texas, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Harley the bill was laid on the table subject to call.

Senate Bill No. 385.

The Chair laid before the Senate on second reading

S. B. No. 385, A bill to be entitled "An Act to create a more efficient road law for Jim Wells County, Texas; fixing the compensation of the commissioners of Jim Wells County when acting as ex officio road commissioners, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

House Bill No. 487.

The Chair laid before the Senate on second reading

H. B. No. 487, A bill to be entitled "An Act to create a more efficient road system for Gillespie County, Texas, and making the commissioners of said county ex officio road commissioners in their respective precincts, and prescribing their duties as such, and providing for the compensation of road commissioner, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 512.

The Chair laid before the Senate on second reading

H. B. No. 512, A bill to be entitled "An Act to create the office of county road supervisor for Mills county and prescribing the method for his appointment, duties and salary, and declaring an emergency."

The bill was read second time and passed to its third reading.

Senate Bill No. 352.

The Chair laid before the Senate on second reading

S. B. No. 352 A bill to be entitled "An Act to amend Section 2, Chapter 75, Special Laws of the Regular Session of the Thirtieth Legislature of 1907, being an Act to authorize, enable and permit the territory within the boundaries of the town of Estelline, in Hall County, Texas, and other lands and territory adjacent thereto, to incorporate as independent school district for free school purposes only, known as Estelline Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

House Bill No. 539.

The Chair laid before the Senate on second reading

H. B. No. 539, A bill to be entitled "An Act creating and incorporating the Lipscomb Independent School District in Lipscomb County, Texas; defining its boundaries; investing said district with all the rights, privileges and duties of an independent school district created under the laws of the State of Texas for free school purposes; providing for a board of trustees and for the trustees of Common School District No. 1 to manage and control the affairs of the independent school district until the election of trustees as prescribed by general statute; providing for the appointment by the board of trustees of the board of equalization, and prescribing its duties and time of meeting; providing that said independent school district shall be a body politic and corporate, giving it a right to sue and to be sued, and requiring that it assume all outstanding debts, including bonded indebtedness against Common School District No. 1, and requiring trustees to make proper levy for school year 1916-17 to meet outstanding obligations of Common School District No. 1, and declaring an emergency."

The bill was read second time and passed to its third reading.

House Bill No. 393.

The Chair laid before the Senate on second reading

H. B. No. 393, A bill to be entitled "An Act to amend Section 42, of Article 30, Title 5, of the Revised Civil Statutes of Texas, so as to provide for the holding of four terms of district court in Taylor and Eastland Counties, changing the time of holding court in Stephens, Callahan and Shackelford Counties, and reducing the terms of court in Stephens County from four to three weeks.

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

Senate Bill No. 166.

Senator Smith called up from the table Senate Bill No. 166, laid on the table subject to call on February 8.

The Chair laid before the Senate, on second reading:

S. B. No. 166, A bill to be entitled "An Act to authorize the city council, board of commissioners or city manager of any city in the State to levy and collect a tax not to exceed five cents on each \$100 of assessed valuation of the city for one year for the purchase and improvement of lands for city parks, and providing the manner of acquiring lands for park purposes, and providing for the management and control of said city parks, and declaring an emergency."

Senator Smith offered the following amendments, which were read and adopted, being voted on separately:

(4) Amend S. B. No. 166, printed bill, page 1, line 21, by inserting after the word "number" the words "for each two thousand inhabitants," and by striking out in line 21, page 1, the words "in any one city."

(5) Amend S. B. No. 166, page 2, Section 5, line 2, by erasing the second "the" in said line.

(6) Amend S. B. No. 166, printed bill, by striking out all of Section 4.

(7) Amend S. B. No. 166, page 2, by changing Sections 5, 6 and 7 to read Sections 4, 5 and 6.

The bill was read second time and passed to engrossment.

Senate Bill No. 204.

The Chair laid before the Senate on second reading

S. B. No. 204, A bill to be entitled "An Act to repeal Section 4, Chapter 150, of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 13, Acts of the First Called Session of the Thirty-third Legislature, relating to the payment of in-county witnesses in felony cases, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 186.

The Chair laid before the Senate on second reading

S. B. No. 186, A bill to be entitled "An Act to amend Section 1, Chapter 26 of the General Laws of the Thirty-third Legislature, 1913, State of Texas, more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice; except to certain public officers named, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 223.

The Chair laid before the Senate on second reading

S. B. No. 223, A bill to be entitled "An Act to provide for the purchase and lease of real property by county school trustees of all common school districts and of those independent school districts having less than 150 scholastics, and by the trustees of all independent school districts having 150 scholastics or more in the State of Texas, by condemnation proceedings, for the purpose of furnishing playgrounds and sites upon which to build schoolhouses and for agricultural purposes to be used in connection with said schools."

The bill was read second time and passed to engrossment.

House Bill No. 509.

The Chair laid before the Senate on second reading

H. B. No. 509, A bill to be entitled "An Act creating the Blanket Independent School District in Brown and Comanche Counties, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 271.

The Chair laid before the Senate on second reading

H. B. No. 271, A bill to be entitled

"An Act creating a more efficient road systems for Hopkins County, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 259.

The Chair laid before the Senate on second reading

H. B. No. 259, A bill to be entitled "An Act to create a more efficient road system for McCulloch County, Texas; defining the powers and duties of the commissioners court of said county in adopting such system, and providing for the condemnation of lands for opening, changing, widening, ditching, making embankments or fills or draining water away from the public roads in said county; providing that the commissioners of said county be ex officio road commissioners, defining their powers and duties and providing for their compensation; providing that road hands may be assigned to such roads as may be deemed best by the road commissioners of the precinct or the commissioners court of said county; providing for road overseers to call out hands on twenty-four hours' notice, and providing for penalty for failure to call out hands when notified to do so; for the payment of overseers working overtime; for the release of road hands by the payment of money; creating a penal offense for the obstruction of ditches or drainways and diverting surface water or streams into public roads of said county, and providing a penalty; making this law cumulative of the General Laws, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

Senate Bill No. 363.

The Chair laid before the Senate on second reading

S. B. No. 363, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and to

repeal all laws in conflict therewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

House Bill No. 440.

The Chair laid before the Senate on second reading

H. B. No. 440, A bill to be entitled "An Act to amend Section 1 of Chapter 11 of the Special Laws of Texas, passed by the First Called Session of the Thirty-fourth Legislature, approved June 4, 1915, being 'An Act incorporating and creating the Fulbright Independent School District in Red River County, Texas, for free school purposes only,' etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 49.

The Chair laid before the Senate on second reading

H. B. No. 49, A bill to be entitled "An Act to amend Section 6 of Chapter 41 of the Special Laws of the Regular Session of the Twenty-seventh Legislature, entitled 'An Act to create a more efficient road system for Coryell County, Texas, etc.,' as the same was amended by an Act of the Thirtieth Legislature, known as House Bill No. 339, and as the same was amended by Chapter 62 of the Regular Session of the Thirty-fourth Legislature; providing that any citizen of Coryell County liable to road duty who shall pay to the county treasurer the sum of three dollars by the second Tuesday in February of each year shall be exempt from road duty for such year, and providing that any person liable to road duty who fails to pay such tax shall be required to pay the sum of one dollar for every day he fails to appear and work on the road, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 414.

The Chair laid before the Senate on second reading

H. B. No. 414, A bill to be entitled "An Act creating the Crockett Independent School District in Houston County, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of Crockett of the control of its public free schools, and the title of all property now held and used for public school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; creating the trustees of said independent school district a board of equalization thereof, and conferring upon them the power and so forth given by the general laws, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 554.

The Chair laid before the Senate on second reading

H. B. No. 554, A bill to be entitled "An Act to create the Chappell Independent School District in Madison County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 516.

The Chair laid before the Senate on second reading

H. B. No. 516, A bill to be entitled "An Act to define the duties of county commissioners of San Patricio County, Texas, relating to the appointment and supervision of road overseers in defined road districts, and fixing the compensation of the commissioners of San Patricio County, Texas, when acting as ex officio road commissioners, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 543.

The Chair laid before the Senate on second reading

H. B. No. 543, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Real County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 550.

The Chair laid before the Senate on second reading:

H. B. No. 550, A bill to be entitled "An Act to create a more efficient road system for Caldwell County; providing for the employment of a county road superintendent, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 299.

The Chair laid before the Senate on second reading:

H. B. No. 299, A bill to be entitled "An Act creating the Sinton Independent School District known as Common School District No. 1, in San Patricio County, Texas, and declaring an emergency."

The bill was read second time and passed to its third reading.

Senate Bill No. 271.

The Chair laid before the Senate on second reading:

S. B. No. 271, A bill to be entitled "An Act to validate the incorporation of the City of Texas City, and to declare valid all Acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and city commissioners, sitting as a board of commissioners, since the incorporation of said City of Texas City."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 291.

The Chair laid before the Senate on second reading:

S. B. No. 291, A bill to be entitled "An Act to amend Articles 6756, 6762 and 6763, Title 116, of the Revised Civil Statutes of 1911, of the State of Texas, relating to the compensation and allowances of the Ranger force, and declaring an emergency."

The bill was read second time and passed to engrossment.

House Bill No. 289.

The Chair laid before the Senate on second reading:

H. B. No. 289, A bill to be entitled "An Act providing for the return of pension warrants where the pensioner dies during the quarter for which the warrant was issued, the cancellation of the same, and the issuance of a mortuary warrant to pay the funeral expenses of the deceased pensioner, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

Senate Bill No. 167.

The Chair laid before the Senate on second reading:

S. B. No. 167, A bill to be entitled "An Act to provide whole family protection for members of fraternal benefit societies, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 315.

The Chair laid before the Senate on second reading:

S. B. No. 315, A bill to be entitled "An Act to amend Title 22, Chapter 4, Article 879 of the Revised Statutes

of the State of Texas of 1911, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 26.

The Chair laid before the Senate on second reading:

S. B. No. 26, A bill to be entitled "An Act to amend Articles 312, 314 and 318, of Chapter 1, Title 12, entitled Attorney at Law, of the Revised Statutes of 1911 of the State of Texas, relating to the granting of licenses to attorneys at law, so as to require applicant for license to apply to the board of legal examiners of the supreme judicial district in which such applicant resides; providing that where applicant is refused license he must apply thereafter to the same board, and providing that immigrant attorneys must apply to the board of examiners of the supreme judicial district in which the seat of government of this State may be, and to repeal all laws in conflict herewith."

The bill was read second time and passed to engrossment.

Adjournment.

At 11:30 p. m., on motion of Senator Caldwell, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senator Bee offered numerous telegrams from San Antonio endorsing the bat bill.

Senator Robbins offered a telegram from ex-students association of Navarro County favoring an investigation of the University.

Senator Buchanan of Bell sent up a petition from Moran, Texas, asking for the passage of a bill prohibiting the trespassing on railroad tracks.

Senator Smith offered a petition relating to the highway bill.

A telegram to Senator Bee from San Antonio favoring the Mothers Pension Law was read before the Senate.

Senator Hall sent up and had read a letter from the commissioners court of

Galveston asking for ways and means of alleviating the conditions of the tubercular, imbecile and insane of the State.

The Chair had read a communication from the County Judges and Commissioners Association of Texas asking that the Legislature remedy the present crowded condition of the insane asylums of the State.

The Chair offered and had read a concurrent resolution from the State of New York relating to migratory birds.

A number of telegrams from the clubs and societies of San Antonio to Lieutenant Governor Hobby were read endorsing the Mothers Pension Bill.

A numerous signed petition to Senator Hudspeth from West Texas was read, asking that a law be passed that owners of school land through which railroads pass be exempt from interest to the State.

A petition from Archer City to Senator Johnson was offered opposing Senate Bill No. 219. Senator Westbrook offered a similar petition to S. B. 219.

Senator Bee sent up a petition from the Tarpley Independent Telephone Company opposing the Dean Telephone Bill.

Senator Bee offered a petition from citizens of San Antonio protesting against the following bills: Senate Bills Nos. 219, 58, 126, 179, 79, 101 and House Bills Nos. 566, 98, 106, 530, 505, 232, 293.

Senator Westbrook offered a numerous signed petition favoring House Bill No. 202, providing that incorporated cities and towns may by an ordinance regulate or prohibit their own Sunday sales and provide penalties.

Senator Westbrook sent up a petition from the pastors of the different churches of McKinney opposing the Parks Bill affecting the Sabbath.

Senator Bee offered a petition from the commissioners of Kerr County and others asking the Legislature to increase the jurisdiction of the justice and county courts of said counties.

Willacy County.

San Antonio, Texas, Feb. 19, 1917.
To the Senate, Austin, Texas:

Dear Senators and Friends: I have availed myself of the opportunity to

thoroughly investigate the origin of the proposal to change the name of Willacy County to that of Mifflin Kenedy County, and am thoroughly convinced that there was no desire or purpose upon the part of those interested to in the slightest degree reflect upon me. As for Mr. John G. Kenedy, I have always been of the unqualified opinion that under no circumstances would he be a party to anything inimical to me or my family. I have known him since first coming to Texas, in the spring of 1890, and also had the pleasure of acquaintance with Captain Mifflin Kenedy, his very interesting father. It was the tradition of that section of the State then, and is now, that "Captain Kenedy's promise needed no security, no matter how much money or sacrifice it involved," and, Senators, his son, John G. Kenedy, has always valued this high regard for honor upon the part of his father as the chief legacy bequeathed to the descendants of a truly great man, whose refreshing modesty preferred that his many deeds of charity and generous contributions to the public welfare, springing as they did from his unselfish character, should remain hidden under the proverbial bushel. About him there was an utter absence of vanity or display, yet in the early days when depredations of Indians and other dangers tried the souls of men, the sturdy character and unflinching courage of Captain Kenedy stood as an invincible defense of a thin line of civilization slowly but surely pushing back the lawless element that refused to recognize the jurisdiction of our State and Nation.

Senators, there are heroes of private citizenship no less deserving of recognition than those of the public service. History, it is true, seldom records them, and too often they pass away forgotten. Captain Mifflin Kenedy was pre-eminently one of these, one of the truly great characters of private life. Had he lived in the midst of civilization his life would have been a model for the youth of the land to pattern after. In life, just as he so studiously avoided public praise, he would have refused public reward. It remains for those who knew and esteemed him to perpetuate his name. For, after all, government is no better nor greater, than the characters of the citizenry from which it

flows, and legislative recognition and approval should be impartial.

As for me, with all the facts before me, not unmindful of the confidence of my colleagues nor of the high tribute embodied in the honor bestowed by your generous act in naming one of the counties of this Imperial State for me, still would I consider it an even higher testimonial of your loyalty and esteem did you permit me to impress upon your minds the weight of an unfulfilled obligation on my part, and at the same time the privilege of inaugurating in Texas a system of rewarding upright private life, believing, as I do, that character is the chief asset of a State; that we will realize our destiny only as measured by the characters of our people—men and women.

If you will permit me I will state that before introducing in the Senate the original bill designed to create out of the territory now known as Willacy County, a conference of the principal citizens of the territory to be affected was held, and at this meeting, though not a resident of that territory, I was present. It was agreed, and this agreement reflected the wishes of everyone present, that, subject to legislative consent, the new county should bear the name of the man who, as the pioneer of that section was even more—a citizen who, though as such he may have had many equals, never had a superior.

You are already familiar with the history of the enactment of the measure into law. Over my protest the Legislature named the county for me and by that expression of confidence placed me under a debt of gratitude I can never hope to repay. But that which I cherish is the act itself. The mere tracing of my name upon the map when, compared to the home I have, and shall ever jealously guard, in the hearts of you, my colleagues, is not to be considered. The legacy of your love is great, and I shall leave it untarnished as a heritage to those whom God in his generous wisdom has entrusted to my keeping. But, if you will pardon me, there is one other thing in life that is even greater, for without it the first would perish.

When in the conference above referred to, I, with the others, agreed upon the name of Mifflin Kenedy County, and that certain public poli-

cles should prevail, my good faith, to the extent of everything I could then or now do, was pledged to the accomplishment of the fulfillment of that agreement. Upon their part they have kept the faith in every particular. With this before me, together with the assurance that those immediately interested would under no circumstances consent to any proposition calculated to affront me or mine, and with the full sanction and approval of those who are dear to me, I am now asking that you amend the statute so that it may conform to the original purpose. During the sixteen years of my public service in the House and Senate, I gave to the State at no time any more than I should have given, for the State has the right to expect of its public men the very best that is in them, and that without promise of reward other than the approval of the public conscience. Captain Mifflin Kenedy throughout his life gave always more than his share, even to the extent of pledging his landed estate toward the building of the first lines of railway into that section. This did not profit him, but did open his section to civilization.

There is one more consideration. Of a personal nature I cannot here enter into details. Suffice to say that John G. Kenedy, the son and splendid example of the sturdy stock of a worthy sire, whose holdings descended from the father, are encompassed within the boundaries of the present Willacy county, at one time in a way that few men would risk for another, proved his complete confidence in me. True, it was not misplaced, and I am sure is still intact. There is but one way in which I may be able to return that favor, and I frankly state to you that this is not the least of the reasons why I am asking you, as a personal proof of your good will toward me to promptly enact the law changing the name of Willacy County to Mifflin Kenedy County.

Sincerely yours.

JOHN G. WILLACY.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, February 21, 1917.
Hon. W. P. Hobby, President of the Senate.
Sir: Your Committee on Engrossed

Bills has had Senate Bill No. 182 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 21, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 224 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 20, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 247 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 20, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 376 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Enrolling Committee Report.

Committee Room,
Austin, Texas, February 21, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 148, and finds it correctly enrolled, and has this day at 4 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hopkins. S. B. No. 148.

An Act to make an emergency appropriation to pay additional teachers during the remainder of the regular session of the North Texas State Normal College and to supply an omission in the appropriation for the summer session of 1917, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of \$5,000, or so much thereof as may be necessary, be and the same is hereby, appropriated out of any funds in the State Treasury, not otherwise appropriated, to pay additional teachers during the remainder of the regular session, and the sum of \$1,000, or so much thereof as may be necessary, be appropriated out of any funds in the State Treasury, not otherwise appropriated, to supply an omission in former appropriation for the summer session of 1917, for the North Texas State Normal College.

Sec. 2. The fact that the North Texas State Normal College now has an attendance of more than double what it had two years ago, and it has become necessary to supply sixteen additional teachers for instruction in that institution, and the further fact that an omission of \$1,000 was made in enrolling the last general appropriation bill, creates an emergency and imperative public necessity, calling for the suspension of the constitutional rule requiring bills to be read on three several days and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Reports.

Committee Room,
Austin, Texas, February 20, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 43, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 20, of the First Called Session of the Thirty-fourth Legislature of the State of Texas, of the General Laws of the State of Texas, 1915, relating to the pay of jail guards, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass, but that the accompanying committee substitute pass in lieu thereof.

By Committee. C. S. for H. B. No. 43.

A BILL To Be Entitled

An Act to amend Article 1143, Chapter 3, Title 15, of the Code of Criminal Procedure as amended by Chapter 20 of the Acts of the First Called Session of the Thirty-fourth Legislature of the State of Texas.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1143, Chapter 3, Title 15, of the Code of Criminal Procedure of Texas, as amended by Chapter 20 of the Acts of the First Called Session of the Thirty-fourth Legislature, be and the same is so amended as to hereafter read as follows:

"Article 1143. Allowance for jail guards. The sheriff shall be allowed for each guard necessarily employed in the keeping of prisoners two dollars for each day, and there shall not be any allowance made for the board of such guard nor shall any allowance be made for the jailer or his turnkey, except in counties having a population of forty thousand (40,000) or more, and also containing a city having a population of twenty-five thousand (25,000) or more, according to the last United State census, the commissioners' court may allow each jail guard, jailer and turnkey three dollars per day.

Sec. 2. The fact that said guards, jailers and turnkeys in counties having more than forty thousand (40,000) population and containing a city of twenty-five thousand (25,000) or more population are now working for less than a living wage creates an emergency and an imperative public necessity exists authorizing the suspension of the constitutional rule requiring bills to be read on three several days and that this Act take effect and be in force from and after its passage, and it is so enacted.

McCOLLUM, Chairman.

Committee Room,
Austin, Texas, February 20, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on In-

insurance and Banking, to whom was referred

H. B. No. 519, A bill to be entitled "An Act to apply to and govern all insurance corporations incorporated under the laws of the State; making it unlawful for an insurance corporation so created to make a voluntary assignment, and prescribing the duty of such company when it finds itself unable to meet its obligations; making void any voluntary general assignment by such company or any acts relative thereto and making void all transfer of assets after an act of insolvency or in contemplation thereof, with a view of preferring one creditor over another; declaring that no attachment, injunction or execution shall issue against such an insurance company or its property before final judgment," etc.,

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

GIBSON, Chairman.

Committee Room,

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 288, A bill to be entitled "An Act authorizing the citizens of this State to take insurance on their lives payable to business partners, firms or corporations, of which they are members or stockholders, religious, charitable, benevolent or educational institutions, situated in the State of Texas, and to assign policies to such persons, firms, corporations or institutions,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

GIBSON, Chairman.

Committee Room,

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 405, A bill to be entitled "An Act to authorize the Panhandle and Santa Fe Railway Company to

purchase, own and operate the railroad of South Plains and Santa Fe Railway Company with its franchises and appurtenances, now and hereafter owned; and the railroad of the North Texas & Santa Fe Railway Company, with its franchises and appurtenances, now and hereafter owned; and until such purchase or purchases is or are made to authorize lease by the Panhandle and Santa Fe Railway Company of the railroad and other properties of said companies or either of them, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, and be printed in the Journal only.

JOHNSON, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 228, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study, by correspondence, that supply the needs of Texas people; to provide for the appointment of an executive board for same, and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of the members of said faculty."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 16, entitled "A resolution to amend Section 50, Article 16, of the Constitution of the State of Texas so as to authorize the mortgaging of the homestead for the purpose of obtaining money under the

provisions of the Federal Farm Loan Act."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WESTBROOK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 16, entitled "A resolution to amend Section 56, Article 16, of the Constitution of the State of Texas so as to authorize the mortgaging of the homestead for the purpose of obtaining money under the provisions of the Federal Farm Loan Act,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

McNealus, Buchanan of Scurry and Hall.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 406, A bill to be entitled "An Act to amend Section 7 of Chapter 6 of the Special Laws passed at the Regular Session of the Thirty-fourth Legislature, 1915, being an Act entitled 'An Act to create a more efficient road system for Wood County, etc., and adding thereto Sections 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h and 7i, providing for the issuance of bonds by said county, or any political subdivision or defined district thereof, by election, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, and the levy of taxes to provide the necessary interest and sinking fund therefor, providing that the same territory may be embraced in more than one and not more than two defined districts of said county, defined and established for road purposes; providing for the validation of all pro-

ceedings and orders heretofore had and made by the commissioners court in the establishment of a road district where the territory embraced therein overlapped the territory embraced within the boundaries of another road district theretofore formed; and validating all proceedings and orders heretofore had and made in the issuance of bonds by such overlapping road district; providing that this Act shall be cumulative of the general law, and special road laws of Wood County, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Strickland, Smith, Floyd, Clark, Buchanan of Scurry, Gibson.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 654, A bill to be entitled "An Act to create a more efficient road system for Angelina County, defining its duties by creating a Highway Commission, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Buchanan of Scurry, Clark, Smith, Floyd, Strickland, Gibson.

Committee Room,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 375, A bill to be entitled "An Act to reorganize the Seventh, Fourteenth and Fortieth Judicial Districts and to create the Eighty-fifth Judicial District of the State of Texas, and providing for the appointment of the district judge for said Eighty-fifth Judicial District, and providing for holding the district courts and the terms thereof in the

said Seventh, Fourteenth and Fortieth and Eighty-fifth Judicial District, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 387, A bill to be entitled "An Act creating the Criminal District Court of Galveston County and defining the jurisdiction thereof; providing for a judge and clerk thereof and for their appointment and election; prescribing the duties of the County Attorney of Galveston County with respect thereto; prescribing the duties and emoluments of said officers and of the sheriff of said county in matters pertaining to said court, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 50, A bill to be entitled "An Act to establish and create a Criminal District Court for Tarrant County; to provide for the jurisdiction of and procedure in said court; to provide for the appointment, election, qualification, duties, powers and compensation of a judge of said court; depriving and divesting the district courts of Tarrant County of jurisdiction of all criminal cases, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same, with engrossed rider to S. B. No. 50, back to the Senate, with the recommendation that it do pass and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room,
Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 478, A bill to be entitled "An Act to amend Section 7, of Chapter 107, page 214 of the General Laws of the Thirty-second Legislature of 1911, and regulating the time for holding the district court in the various counties composing the Fiftieth Judicial District of Texas, so as to give Dickens County one more week, and validating processes and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room,
Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 354, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first, the Sixty-third and the Seventieth Judicial Districts of the State of Texas; and to create the Eighty-third Judicial District of the State of Texas; and to prescribe the time and fix the terms of holding the courts in each of said judicial districts; and to conform all writs and process from such courts to such changes, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room,
Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 393, A bill to be entitled "An Act to amend Section 42 of Article 30, Title 5, of the Revised Civil Statutes of Texas, so as to provide for the holding of four terms of district court in Taylor and Eastland Counties, changing the time of hold-

ing court in Stephens, Callahan and Shackelford Counties, and reducing the terms of court in Stephens County from four to three weeks each; validating the return and process, orders for juries, recognizances and bail bonds and all other writs, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room.

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 321, A bill to be entitled "An Act to create a Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Tenth Supreme Judicial District of Texas, and to reorganize the Second, Third and Fifth Supreme Judicial Districts, so as to conform to the provisions of this Act, to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed.

BUCHANAN of Scurry, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 407, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled an Act creating the Hamlin Independent School District in Jones County, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Buchanan of Scurry, Page, Dayton, Lattimore, Dean, Johnson, Floyd, Alderdice, Smith, Hall, Decherd.

Committee Room,

Austin, Texas, February 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 368, A bill to be entitled "An Act to amend Article 6096, Chapter 1, Title 101 of the Revised Civil Statutes of the State of Texas pertaining to petitions and authorizing the partition of any real estate, or of any interest therein, or of any mineral, coal, petroleum or gas lands, whether held in fee or by lease or otherwise, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

THIRTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, February 22, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Lattimore.

Absent—Excused.

Bailey.

Decherd.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Dean.